

## **CITY OF QUINCY**

### **PROCEDURE FOR FILING AN ANNEXATION COVENANT**

1. The property cannot be contiguous or touching the City limits to file an Annexation Covenant.
2. The Annexation Covenant may be obtained from the Secretary of the Plan Commission, third floor, City Hall Annex building, 706 Maine Street.
3. A copy of the deed and PIN must be included with the Covenant along with the signatures of all the property owners.
4. The signature of the owners must be notarized.
5. When the Annexation Covenant is completed, it must be recorded in the Adams County Recorder of Deeds, Adams County Courthouse, 521 Vermont Street.
6. After the recording, the Recorder's Office will return the Covenant to the City Clerk for filing.
7. If or when the property becomes contiguous, the property owner will be contacted to sign an annexation petition and the property will be annexed.
8. The only cost is the filing fee in the Adams County Recorder's office.

# ANNEXATION COVENANT

**WHEREAS**, the undersigned is the sole owner or are all of the owners of the following described real estate:

**ATTACH DESCRIPTION HERewith**

**PIN NO** \_\_\_\_\_

and,

**WHEREAS**, the undersigned desire(s) to have the above described real estate, or a portion thereof, connected with the sewer and/or water systems of the City of Quincy, Adams County, Illinois, a municipal corporation, and sewer and/or water service extended thereto; and,

**WHEREAS**, said real estate cannot now be or has not been annexed to the City of Quincy, Adams County, Illinois; and,

**WHEREAS**, it is the policy of the City of Quincy, Adams County, Illinois, to expand its corporate boundaries and facilitate the expansion of the corporate boundaries of the Quincy Park District, and Illinois municipal corporation, by annexation when either or both lawfully can annex property in accordance with the applicable laws of the State of Illinois.

**NOW, THEREFORE**, for good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, including, but not necessarily limited to, the privilege to connect with or be provided sewer and/or water service, it is covenanted and agreed by the undersigned or each of the undersigned as follows:

1. The undersigned will petition at his, her or their own expense for annexation to the City of Quincy, Adams County, Illinois, and Illinois municipal corporation, and to the Quincy Park District, an Illinois municipal corporation, at any such time in the future as he, she or they may be requested to do so by the City of Quincy, Adams County, Illinois, or the Quincy Park District.
2. The undersigned will require as a condition of tenancy, occupancy, purchase or ownership that such party or parties possessing, occupying, purchasing or owning said real estate or any portion thereof or interest therein, shall, upon the request of the City of Quincy, Adams County, Illinois, or the Quincy Park District, join in said petition for annexation or petition at his, her or their own expense for annexation. Upon this covenant being recorded, any such party or parties shall be deemed subject to this covenant and required to comply fully with its terms and conditions as if an original party.
3. If the undersigned or any party or parties now or hereafter possessing, occupying, purchasing or owning the real estate or any portion thereof or interest therein for which a request is made to petition to annex fail(s) to comply with such request within thirty (30) days after such request is made, the undersigned or such party or parties shall pay to the City of Quincy, Adams County, Illinois, and the Quincy Park District reasonable attorney's fees and costs in connection with any efforts (whether or not successful) to enforce this covenant (even if performed by its or their own legal department(s)) and agree(s) that any city services to such real estate or portion thereof or interest therein may be forthwith terminated by any appropriate means without further notice. A permanent easement for all necessary access to the real estate or any improvements now or hereafter located thereon is hereby granted for purposes of terminating sewer and/or water service.
4. To secure faithful performance of the requirements of his covenant, the undersigned, for the undersigned and any party or parties now or hereafter possessing, occupying, purchasing or owning the real estate or any portion thereof or interest therein hereby irrevocably appoints any now or hereafter duly elected Mayor or City Clerk of the City of Quincy, Adams County, Illinois, or any attorney licensed to practice law in the State of Illinois, as the true and lawful attorney in fact for the undersigned and such party or parties to sign, execute, acknowledge and deliver to the City of Quincy, Adams County, Illinois, and the Quincy Park District the requisite petition for annexation and to take all and every such action as may be necessary to give effect to this covenant and annex all or any portion of such real estate to the City of Quincy, Adams County, Illinois and/or the Quincy Park District when requested. This power is deemed to be coupled with an interest.

It is expressly agreed that a request for annexation may be made by the City of Quincy, Adams County, Illinois, or the Quincy Park District independently or together and for all or any portion of the described real estate and may be made as to various portions at differing times or successive times. This covenant may be enforced irrespective of whether the undersigned connect(s) to the sewer system or water system of the City of Quincy, Adams County, Illinois, or either of them or both of them. It shall not be necessary that the undersigned shall have connected to both the sewer and water systems, however, or be served at the time. Moreover, upon annexation, there shall be no obligation for the City of Quincy, Adams County, Illinois, necessarily to extend that service, if any, not then provided, by virtue of this covenant or continue any service then provided. This covenant is not a contract to permanently provide or assure sewer and/or water service.

The undersigned further agree(s) that the benefit and burdens of this covenant shall be perpetual and shall annex to and run with the land herein described and each and every part, parcel or lot thereof, whether now or hereafter subdivided. This covenant shall further be binding upon and inure to the benefit of the respective heirs, legal representatives, successors and assigns of each of the parties, including, but not necessarily limited to, any purchasers or successors and assigns of each of the parties, including, but not necessarily limited to, any purchasers or successors in interest, title or occupancy of or to said real estate or any portion thereof to the same effect as if such parties had executed personally this covenant.

Invalidation of any part of this covenant shall in no wise affect any other of the provisions hereof.

IN WITNESS WHEREOF, the undersigned has or have executed this Annexation Covenant this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

STATE OF ILLINOIS    )  
  ) SS.  
COUNTY OF ADAMS    )

\_\_\_\_\_, a Notary Public in and for said County and State, does hereby certify that the person\_\_ who\_\_ signature\_\_ appear above \_\_\_\_ personally known to me to be the same person \_\_ who\_\_ name\_\_ \_\_\_\_ subscribed to the foregoing instrument, and that \_\_\_\_ appeared before me this day in person and acknowledged that \_\_\_\_ signed, sealed and delivered the said instrument as \_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(SEAL)

**CITY OF QUINCY**  
**PROCEDURE FOR FILING FOR ANNEXATION**

1. The property must be contiguous to the City before it can be annexed.
2. An annexation petition may be obtained from the Secretary of the Plan Commission, third floor, City Hall Annex.
3. The petition must be filled out completely with the legal description of the property to be annexed and signed by all of the owners.
4. An annexation petition to the Quincy Park District must also be signed and can be obtained from the Plan Commission secretary.
5. After the petitions have been completed and signed, they are to be returned to the Plan Commission office. The petition to the Park District is forwarded to them for approval.
6. The City is required to give a 10-day notice to the Tri Township Fire District Trustees and the Tri Quincy Area Public Library Board of each annexation petition received.
7. An annexation ordinance is then drafted and presented to the City Council for adoption and approval. Each ordinance requires three readings.
8. An annexation plat is then prepared by the City Engineering Department. This plat will require the signatures of the petitioners (owners) before it can be filed in the Adams County Recorder's office.
9. After all this is completed, the property is officially annexed and can begin receiving City services such as garbage and recycling pick-up, police and fire protection.
10. There is no cost for filing for annexation.

**PETITION FOR ANNEXATION**

To: The Honorable Mayor and Members of the City Council  
City Hall  
Quincy, Illinois

Gentlemen:

The undersigned, request your consideration and approval for the annexation of  
property at \_\_\_\_\_  
(Street Address)

Legally described as:

Property tax I.D. # \_\_\_\_\_

Number of persons residing at this location: \_\_\_\_\_

Will a retail sales establishment be located within the above described property? \_\_\_\_\_  
(if yes, complete for each retail sales establishment located within the above  
described property)

Name of retail business: \_\_\_\_\_

Address: \_\_\_\_\_

Contact person \_\_\_\_\_  
(use back of form if more space is needed)

Date: \_\_\_\_\_

Petitioners:

\_\_\_\_\_

Please print:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

\_\_\_\_\_  
(signatures)

**PETITION FOR ANNEXATION**

To: The Commissioners of the Quincy Park District  
Quincy, Illinois

Gentlemen:

The undersigned, being the majority of the owners of the property known as

\_\_\_\_\_  
(Street Address)

respectfully represent as follows:

1. The premises are occupied by \_\_\_\_\_ persons as owners and \_\_\_\_\_ persons as legal voters.
2. The tract does not exceed 20 acres.
3. The tract is contiguous to and adjoins the Quincy Park District.
4. Petition for annexation to the City of Quincy has been filed.

Legally described as:

Therefore, petitioners pray that the foregoing tract may be annexed to and become a part of the Quincy Park District.

Date: \_\_\_\_\_

Petitioners:

Please print:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

\_\_\_\_\_  
(signature)